

PUBLIC SAFETY RETIREMENT AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig A. Frank

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Utah State Retirement and Insurance Benefit Act by authorizing additional public safety retirement system members to retire and continue employment in the system.

Highlighted Provisions:

This bill:

▶ allows a public safety service employee who has at least 30 years of service credit in the system to:

- retire from the system and receive an allowance;
- continue employment in the system; and
- file for the exemption for further coverage under the system; and

▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

49-14-203, as last amended by Chapter 176, Laws of Utah 2005

49-15-203, as last amended by Chapter 176, Laws of Utah 2005



Be it enacted by the Legislature of the state of Utah:

Section 1. Section **49-14-203** is amended to read:

49-14-203. Exemption of certain employees from coverage.

(1) A public safety service employee ~~[serving as the Commissioner of Public Safety, or as the elected or appointed sheriff or chief of police of a public safety organization,]~~ is excluded from coverage under this system if ~~[that]~~ the public safety service employee:

(a) files a formal written request seeking exemption[-]; and

(b) (i) is serving as the Commissioner of Public Safety;

(ii) is serving as the elected or appointed sheriff or chief of police of a public safety organization; or

(iii) has at least 30 years of service credit in the system.

(2) Except as provided in ~~[Subsection]~~ Subsections (3) and (4), the public safety service employee may not continue employment with the same participating employer and receive an allowance from the office based on public safety service at the same time.

(3) The Commissioner of Public Safety or an elected sheriff who is eligible to retire under Section 49-14-401 may:

(a) retire from this system and receive an allowance;

(b) continue in the elected position; and

(c) file for the exemption under Subsection (1).

(4) A public safety service employee who has at least 30 years of service credit in the system may:

(a) retire from this system and receive an allowance;

(b) continue employment in the system; and

(c) file for the exemption under Subsection (1).

Section 2. Section **49-15-203** is amended to read:

49-15-203. Exemption of certain employees from coverage.

(1) A public safety service employee ~~[serving as the Commissioner of Public Safety, or as the elected or appointed sheriff or chief of police of a public safety organization,]~~ is excluded from coverage under this system if ~~[that]~~ the public safety service employee:

(a) files a formal written request seeking exemption[-]; and

- 59 **(b) (i) is serving as the Commissioner of Public Safety;**
60 **(ii) is serving as the elected or appointed sheriff or chief of police of a public safety**
61 **organization; or**
62 **(iii) has at least 30 years of service credit in the system.**
63 (2) Except as provided in [~~Subsection~~] Subsections (3) and (4), the public safety
64 service employee may not continue employment with the same participating employer and
65 receive an allowance from the office based on public safety service at the same time.
66 (3) The Commissioner of Public Safety, an elected sheriff, or an appointed chief of
67 police who is eligible to retire under Section 49-15-401 may:
68 (a) retire from this system and receive an allowance;
69 (b) continue in the elected or appointed position; and
70 (c) file for the exemption under Subsection (1).
71 **(4) A public safety service employee who has at least 30 years of service credit in the**
72 **system may:**
73 **(a) retire from this system and receive an allowance;**
74 **(b) continue employment in the system; and**
75 **(c) file for the exemption under Subsection (1).**

Legislative Review Note**as of 11-29-05 3:22 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0163

Public Safety Retirement Amendments

01-Feb-06

10:02 AM

State Impact

No fiscal impact.

Individual and Business Impact

Any fiscal impact will be dependent on choices made by public safety service employees.

Office of the Legislative Fiscal Analyst